

and, with respect to dates that are predominantly light amber in color, there may be not more than 10 percent by count of dates that are dark amber in color; and, with respect to dates that are predominantly dark amber in color, there may be not more than 10 percent by count of dates that are light amber in color.

(c) *(C) classification.* If the whole or pitted dates, whole dry dates for processing, date pieces, or macerated dates possess a fairly good color, a score of 14 or 15 points may be given. Dates that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard or U.S. Grade C (Dry) or U.S. Standard (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Fairly good color" has the following meanings with respect to the following styles:

(1) *Whole; pitted.* The color of the whole or pitted dates or whole dry dates for processing is fairly uniform for the type; and, with respect to dates that are predominantly light amber in color, there may be not more than 20 percent by count of dates that are dark amber in color; and, with respect to dates that are predominantly dark amber in color, there may be not more than 20 percent by count of dates that are light amber in color.

(2) *Pieces; macerated.* The color may be variable throughout the units or mass, may be slightly dull but not off-color, and is typical of properly prepared dates of these styles.

(d) *(SStd) classification.* Dates that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 13 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.1007 Uniformity of size.

(a) *General.* The factor of uniformity of size applies only to whole and pitted styles. The factor of uniformity of size in the styles of date pieces and macerated dates is not based on any detailed requirements and is not scored; the other three factors (color, absence of defects, and character is applicable) are scored and the total is multiplied

by 100 and divided by 90, dropping any fractions to determine the total score.

(b) *(A) classification.* Whole or pitted dates that are practically uniform in size may be given a score of 9 or 10 points. "Practically uniform in size" means that not more than a total of 10 percent, by weight, of the whole or pitted dates may be conspicuously larger or smaller than the approximate average size of the dates in the container.

(c) *(B) classification.* If the whole or pitted dates or whole dry dates for processing are reasonably uniform in size, a score of 8 points may be given. Dates that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice or U.S. Grade B (Dry) or U.S. Choice (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Reasonably uniform in size" means that not more than a total of 15 percent, by weight, of the whole or pitted dates may be conspicuously larger or smaller than the approximate average size of the dates in the container.

(d) *(C) classification.* If the whole or pitted dates or whole dry dates for processing are fairly uniform in size, a score of 7 points may be given. Dates that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard or U.S. Grade C (Dry) or U.S. Standard (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Fairly uniform in size" means that not more than a total of 20 percent, by weight, of the whole or pitted dates may be conspicuously larger or smaller than the approximate average size of the dates in the container.

(e) *(SStd) classification.* Whole or pitted dates or whole dry dates for processing that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 6 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

§ 52.1008 Absence of defects.

(a) *Definitions of defects.* Unless otherwise stated specifically, the following definitions of defects or defective units apply only to whole or pitted dates or whole dry dates for processing, as applicable for the type:

(1) *Damaged by discoloration* is the presence of a dark area in the flesh of the date, which dark area is visible through the skin and is more than one-fourth ($\frac{1}{4}$) inch in width and extends more than the equivalent of half the length of the date, such darkening being of natural origin and not caused by mold or other organism.

(2) *Damaged by broken skin* is any rupture of the skin in a manner to expose the flesh of the date, the shortest dimension of such exposed area being not less than three-sixteenths ($\frac{3}{16}$) inch.

(3) *Damaged by checking* is the presence of fine lines, resulting from water injury, affecting the surface of the skin over an area not less than one-fourth of the total surface of the date.

(4) *Seriously damaged by checking* is the presence of heavy lines, resulting from water injury, seriously affecting the surface of the skin over an area not less than one-fourth of the total surface of the date.

(5) *Damaged by deformity* is any abnormal shape sufficient to produce an appearance discernibly at variance with the normal shape that is typical of the variety.

(6) *Damaged by puffiness* is the condition of a date of which the skin is soft and pliable and from which the skin is separated from the flesh in a balloon-like fashion, over an area not less than one-half of the total surface of the date. Soft skins which have returned and adhere to the flesh of the date are not considered "damaged by puffiness."

(7) *Seriously damaged by puffiness* is the condition of a date of which the skin is dry, hard, and brittle and from which the skin is separated from the flesh over an area not less than one-half of the total surface of the date.

(8) *Damaged by scars* are any blemishes that affect the exterior of the date and which are not less than three-sixteenths ($\frac{3}{16}$) inch in the shortest dimension.

(9) *Damaged by sunburn* is an area, usually light in color, scarred by the heat of the sun, such area being not less than three-sixteenths ($\frac{3}{16}$) inch in the shortest dimension.

(10) *Damaged by insect injury* is any blemish, resulting from the activity of insects or mites, distributed over an area of not less than one-fourth of the

total surface of the date or any similar blemish that materially affects the appearance or edibility of the unit, regardless of the area affected.

(11) *Damaged by improper hydrating* means that the date has been injured by excessive heat or that the hydrating process is incomplete.

(12) *Damaged by mashing* means any physical injury to the flesh and skin of the date leaving the date partially mangled but otherwise whole.

(13) *Damaged by mechanical injury* means excessive trimming or similar injury that damages the appearance or that damages or affects the eating quality of the whole date.

(14) *Damaged by lack of pollination* means, with respect to whole dates, that pollination of the date was not accomplished, such condition being manifested by the absence of a pit in the whole dates or by thin, immature appearance of the date.

(15) *Damaged by blacknose* is severe checking in which the flesh becomes dark, crusty, and dry and which severe checking affects an area greater than one-eighth of the total surface of the date.

(16) *Damaged by side spot* means a very dark area, which generally is circular in appearance, extending into the flesh of the date, and, when decayed tissue or mold is not present, affecting in the aggregate an area not less than the area of a circle three-sixteenths ($\frac{3}{16}$) inch in diameter.

(17) *Damaged by black scald* means the collapse, death, and blackening of the flesh along the side of the date, usually accompanied by a bitter taste in the affected area.

(18) *Damage by improper ripening* means pronounced evidence of "green shrivel" of the date or that the date possesses a puffy flesh or a decidedly rubbery texture resulting from failure of the tissue of the date to reach a desirable state of maturity due to climatic or cultural injury, or both.

(19) *Damaged by other defects* means any injury or defect or group of defects not defined in this section (such as, but not limited to, heavy sugaring, and excessive scars not described in the definition "damaged by scars,") which materially affect the appearance,

edibility, or keeping quality of the dates.

(20) *Affected by scouring* is evidenced by the breakdown of the sugars into alcohol and acetic acid by yeasts and bacteria.

(21) *Affected by mold* is the presence of visible mold.

(22) *Affected by dirt* is the presence of any quantity of such substance.

(23) *Affected by insect infestation* is the presence of dead insects, insect parts, or excreta. (No live insects are permitted.)

(24) *Affected by foreign material* is the presence of any quantity of such substance.

(25) *Affected by decay* is a state of decomposition.

(b) (A) *classification*. Whole or pitted dates that are practically free from defects may be given a score of 27 to 30 points. "Practically free from defects" means that in pitted dates there may be present not more than one whole pit or two pit fragments for each 25 ounces of pitted dates; and that the whole or pitted dates do not exceed the total allowances and limitations shown in Chart I of this subpart.

(c) (B) *classification*. If the whole or pitted dates or whole dry dates for processing are reasonably free from defects, a score of 24 to 26 points may be given. Dates that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice or U.S. Grade B (Dry) or U.S. Choice (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that in pitted dates there may be present not more than one whole pit or two pit fragments for each 25 ounces of pitted dates; and that the whole or pitted dates or whole dry dates for processing do not exceed the total allowances and limitations shown in Chart II of this subpart.

(d) (C) *classification*. If the whole or pitted dates, whole dry dates for processing, date pieces, or macerated dates are fairly free from defects, a score of 21 to 23 points may be given. Dates that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard or U.S. Grade C (Dry) or U.S. Standard (Dry), whichever is applicable, regardless of the total score for the

product (this is a limiting rule). "Fairly free from defects" has the following meanings with respect to the following styles:

(1) *Whole*. The defects or defective units in whole dates or whole dry dates for processing do not exceed the total allowances and limitations shown in Chart III of this subpart.

(2) *Pitted*. Not more than one whole pit or two pit fragments for each 25 ounces of pitted dates may be present; and the defects or defective units in pitted dates do not exceed the total allowances and limitations shown in Chart III of this subpart.

(3) *Pieces; macerated*. Not more than one whole pit or two pit fragments for each 25 ounces of pitted dates may be present; and the units or mass consists of clean and sound date material, fairly free from defects that seriously affect the appearance, edibility, or keeping quality of the product.

(e) (SStd) *classification*. Dates that fail to meet the requirements of paragraph (d) of this section may be given a score of 0 to 20 points and shall not be graded above Substandard, regardless of the total score for the product (this is a limiting rule).

CHART NO. I—ALLOWANCES AND LIMITATIONS FOR DEFECTS IN WHOLE AND PITTED DATES (OTHER THAN WHOLE DRY DATES FOR PROCESSING); U.S. GRADE A OR U.S. FANCY

TOTAL ALLOWANCE

Not more than a total of 10 percent, by weight of the dates, may be the following:

Damaged by:

- Discoloration.
- Broken skin.
- Checking.
- Deformity.
- Puffiness.
- Scars.
- Sunburn.
- Insect injury.
- Improper hydrating.
- Mashing.
- Mechanical injury.
- Lack of pollination.
- Blacknose.
- Side spot.
- Black scald.
- Improper ripening.
- Other defects.

Seriously damaged by checking.

Seriously damaged by puffiness.

Affected by:

- Souring.
- Mold.

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Dirt.
Insect infestation.
Foreign material.
Decay.

LIMITATIONS

Not more than $\frac{3}{4}$ of the total allowance or 6 percent, by weight of the dates, may be the following:

Damaged by:
Side spot.
Black scald.
Improper ripening.
Other defects.

Affected by:
Souring.
Mold.
Dirt.
Insect infestation.
Foreign material.
Decay.

Not more than $\frac{3}{4}$ of the total allowance, or 4 percent, by weight of the dates, may be the following:

Damaged by:
Improper ripening.
Other defects.

Affected by:
Souring.
Mold.
Dirt.
Insect infestation.
Foreign material.
Decay.

Not more than $\frac{1}{10}$ of the total allowance, or 1 percent, by weight of the dates, may be:
Affected by decay.

CHART NO. II—ALLOWANCES AND LIMITATIONS FOR DEFECTS IN WHOLE AND PITTED DATES OR IN WHOLE DRY DATES FOR PROCESSING; U.S. GRADE B OR U.S. CHOICE AND U.S. GRADE B (DRY) OR U.S. CHOICE (DRY)

Not more than 15 percent, by weight of the dates, may be seriously damaged by checking.

Not more than 20 percent, by weight of the dates, may be damaged by broken skin.

ADDITIONAL ALLOWANCE

Not more than a total of 15 percent, by weight of the dates, may be the following:

Damaged by:
Deformity.
Puffiness.
Scars.
Sunburn.
Insect injury.
Improper hydrating.
Mashing.
Mechanical injury.
Lack of pollination.
Blacknose.
Side spot.
Black scald.

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Improper ripening.
Other defects.
Seriously damaged by puffiness.

Affected by:
Souring.
Mold.
Dirt.
Insect infestation.
Foreign material.
Decay.

LIMITATIONS

Not more than $\frac{3}{4}$ of the additional allowance, or 10 percent, by weight of the dates, may be the following:

Damaged by:
Lack of pollination.
Blacknose.
Side spot.
Black scald.
Improper ripening.
Other defects.

Affected by:
Souring.
Mold.
Dirt.
Insect infestation.
Foreign material.
Decay.

Not more than $\frac{1}{5}$ of the additional allowance, or 5 percent, by weight of the dates, may be the following:

Damaged by:
Improper ripening.
Other defects.

Affected by:
Souring.
Mold.
Dirt.
Insect infestation.
Foreign material.
Decay.

Not more than $\frac{1}{5}$ of the additional allowance, or 1 percent, by weight of the dates, may be:

Affected by decay.

CHART NO. III—ALLOWANCES AND LIMITATIONS FOR DEFECTS IN WHOLE AND PITTED DATES OR IN WHOLE DRY DATES FOR PROCESSING; U.S. GRADE C OR U.S. STANDARD AND U.S. GRADE C (DRY) OR U.S. STANDARD (DRY)

TOTAL ALLOWANCE

Not more than a total of 20 percent, by weight of the dates, may be the following.

Damaged by:
Deformity.
Scars.
Sunburn.
Insect injury.
Improper hydrating.
Mashing.
Mechanical injury.
Lack of pollination.

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Blacknose.
Side spot.
Black scald.
Improper ripening.
Other defects.
Seriously damaged by puffiness
Affected by:
 Souring.
 Mold.
 Dirt.
 Insect infestation.
 Foreign material.
 Decay.

LIMITATIONS

Not more than $\frac{1}{2}$ of the total allowance, or 10 percent, by weight of the dates, may be the following.

Damaged by:
 Lack of pollination
 Blacknose.
 Side spot.
 Black scald.
 Improper ripening.
 Other defects.

Affected by:
 Souring.
 Mold.
 Dirt.
 Insect infestation.
 Foreign material.
 Decay.

Not more than $\frac{1}{4}$ of the total allowance, or 5 percent, by weight of the dates, may be the following:

Affected by:
 Souring.
 Mold.
 Dirt.
 Insect infestation.
 Foreign material.
 Decay.

Not more than $\frac{1}{10}$ of the total allowance, or 2 percent, by weight of the dates, may be:
 Affected by decay.

§ 52.1009 Character.

(a) *(A) classification.* Whole or pitted dates that possess a good character may be given a score of 36 to 40 points. “Good character” means that not less than 75 percent, by weight, of the dates are well developed, well fleshed, and soft, or at the time of packing are in a state of ripeness that within 15 days will develop into such character; and the remainder may possess a reasonably good character including not more than a total of 2 percent, by weight, of the dates that may possess semi-dry calyx ends and none may possess dry calyx ends.

(b) *(B) classification.* If the whole or pitted dates or whole dry dates for processing possess a reasonably good character, a score of 32 to 35 points may be given. Dates that fall into this classification shall not be graded above U.S. Grade B or U.S. Choice or U.S. Grade B (Dry) or U.S. Choice (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule).

(1) “Reasonably good character” with respect to whole or pitted dates other than whole dry dates for processing means that the dates are pliable; that not less than 75 percent, by weight, of the dates are reasonably well developed and reasonably well fleshed, or at time of packing are in a state of ripeness that within 15 days will develop into such character and the remainder may possess a fairly good character including not more than 10 percent, by weight, of the dates that may possess semi-dry calyx ends and dry calyx ends: *Provided*, That not more than 2 percent, by weight, of the dates may possess dry calyx ends.

(2) “Reasonably good character” with respect to whole dry dates for processing means that the dates may be firm and dry; that not less than 75 percent, by weight, of the dates are reasonably well developed and reasonably well fleshed and that the remainder are fairly well developed and fairly well fleshed.

(c) *(C) classification.* If the whole or pitted dates, whole dry dates for processing, date pieces, or macerated dates possess a fairly good character, a score of 28 to 31 points may be given. Dates that fall into this classification shall not be graded above U.S. Grade C or U.S. Standard or U.S. Grade C (Dry) or U.S. Standard (Dry), whichever is applicable, regardless of the total score for the product (this is a limiting rule). “Fairly good character” has the following meanings with respect to the following styles:

(1) *Whole; pitted.* (i) In whole or pitted dates other than whole dry dates for processing the dates may be firm but are pliable; may possess semi-dry calyx ends; and not less than 80 percent, by weight, of the dates are fairly well developed and are fairly well fleshed, or at time of packing are in a state of